

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE FULTON FISH MARKET
WELFARE FUND and TRUSTEES OF THE FULTON
FISH MARKET PENSION FUND,

Plaintiffs,

-v-

F. ROZZO & SONS INC.,

Defendant.

20 Civ. 7326 (PAE)

ORDER OF DEFAULT
JUDGMENT

PAUL A. ENGELMAYER, District Judge:

On September 9, 2020, plaintiffs filed the complaint. Dkt. 1. On September 10, 2020, plaintiffs served the summons and complaint on Amy Lesch, who was registered with the Corporate Division of the Department of State as a person authorized to accept service on behalf of the defendant, making defendant's deadline to answer or otherwise respond October 1, 2020.

See Dkt. 6. Defendant has not responded to the complaint or otherwise appeared in this action.

On October 26, 2020, plaintiffs obtained a Clerk's Certificate of Default. Dkt. 9. On November 17, 2020, plaintiffs filed a motion for default judgment. Dkts. 10–13.

On November 19, 2020, the Court issued an order to show cause ordering defendant to appear and oppose the Court issued an order directing defendant to oppose the motion for a default judgment by December 17, 2020. Dkt. 15. On November 19, 2020, plaintiffs served defendant, by first class mail, with their motion for a default judgment and supporting documents and the Court's order to show cause. Dkts. 16–19.

The Court has reviewed plaintiffs' motion for default judgment pursuant to Federal Rule of Civil Procedure 55(b), Dkt. 10, and plaintiffs' supporting affidavit, Dkt. 13. Because proof of

service has been filed, defendant has not answered the complaint, the time for answering the complaint has expired, and defendant failed to appear to contest entry of a default judgment for that purpose, the Court enters a default judgment for plaintiffs against the defendant.

The Court, by separate order, will commission an inquest into damages. The Court respectfully directs the Clerk of the Court to terminate the motion pending at docket 10.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: April 7, 2021
New York, New York